



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q79470

Kazuaki SOMENO, et al.

Appln. No.: 10/759,140

Group Art Unit: 1713

Confirmation No.: 6970

Examiner: Unknown

Filed: January 20, 2004

For: METHOD OF PRODUCING A RUBBER COMPOSITION

UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

- 1. U.S. Patent No. 5,262,111 issued November 16, 1993,to Capelle et al.
- 2. U.S. Patent No. 5,711,904 issued January 27, 1998, to Eswaran et al.
- 3. European Patent Application No. 1 057 603 A1 published December 6, 2000.
- 4. European Patent Application No. 0 512 303 A1 published November 11, 1992, to The Goodyear Tire & Rubber Co.
- 5. European Patent Application No 0 490 056 A1 published June 17, 1992.
- 6. U.S. Patent No. 3,683,511 issued August 15, 1972, to Johnson et al.
- 7. U.S. Patent No. 4,876,297 issued October 24, 1989, to Peter.

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Information Disclosure Statement

- 8. U.S. Patent No. 3,968,955 issued July 13, 1976, to Fritsch.
- 9. U.S. Patent No. 3,392,962 issued February 28, 1967 to Fritsch et al.
- 10. European Patent Application No. 0 611 078 A1 published August 17, 1994, to The Gates Rubber Company.
- 11. WO 03/009989 A1 published February 6, 2003, to Pirelli Pneumatici S.P.A.

One copy of each of the listed documents, other than any U.S. patents and patent publications, is submitted herewith.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a European Search Report dated May 10, 2004 which cites such documents and indicates the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

SOMENO et al. Appln. No. 10/759,140 Information Disclosure Statement

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

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Date: June 16, 2004

Substitute for Form 1449 A & B/PTO	Complete if Known			
	Application Number	10/759,140		
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JUN 1 6 2004 E	First Named Inventor	Kazuaki SOMENO		
	Art Unit	1713		
	Examiner Name	Unknown		
l of l	Attorney Docket Number	Q79470		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number		Publication Date		
		Number	Kind Code ² (if known)	MM-DD-YYYY	Name of Patentee or Applicant of Cited Documen	
•		US 5,262,111	Α	11-16-1993	Capelle et al.	
		US 5,711,904	Α	01-27-1998	Eswaran et al.	
		US 3,683,511		08-15-1972	Johnson et al.	
		US 4,876,297		10-24-1989	Peter	
	,	US 3,968,955		07-13-1976	Fritsch	
	· · · · · · · · · · · · · · · · · · ·	US 3,392,962		07-16-1968	Fritsch et al.	
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FOREIGN PATENT DOCUMENTS							
	Cite	Foreign Patent Document		Publication Date	Name of Patentee or		
	No.1	Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Translation ⁶
		EP	1 057 603	Al	12-06-2000		
		EP	0 512 303	Al	11-11-1992	Goodyear Tire & Rubber Co.	
		EP	0 490 056	A1	06-17-1992		
		EP	0 611 078	Al	08-17-1994	Gates Rubber Co.	
		WO	03/009989	Al	02-06-2003	Pirelli Pneumatici S.P.A.	
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
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Examiner Signature	Date Considered		
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or follow the hyperlink from the title of the document to the intranet. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to indicate here if English language Translation is attached.